

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ROBERT CLARKE, Individually and On Behalf of )  
All Others Similarly Situated, )

Plaintiff, )

vs. )

SECURITY CAPITAL ASSURANCE, LTD., )  
PAUL S. GIORDANO, DAVID P. SHEA, XL )  
INSURANCE, LTD., MERRILL LYNCH, PIERCE )  
FENNER & SMITH, INC., GOLDMAN SACHS )  
& CO., and J.P. MORGAN SECURITIES, INC., )

Defendants. )

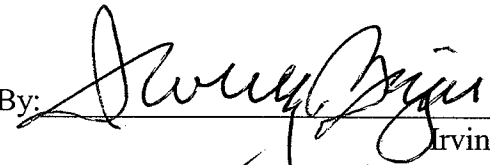
**CIVIL ACTION NO. 08-cv-0158 (DAB)**

**NOTICE OF MOTION**

PLEASE TAKE NOTICE, that upon the annexed declaration of Ernest Koehler, dated February 29, 2008, the exhibits annexed thereto, the complaint and prior proceedings herein, the undersigned will move this Court pursuant to 15 U.S.C. §78 U-4 (a) (3) (B) (iii) (i) for an order designating him as lead plaintiff and his designation for lead counsel upon the grounds that having sustained the greatest loss, and meeting all of the other requirements, he is most qualified to be the lead plaintiff.

Dated: March 3, 2008

BALLON STOLL BADER & NADLER, P.C.

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